

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ASIPI AL,	:	
	:	Case No. 16-CV-407
Plaintiff,	:	
	:	JUDGE ALGENON L. MARBLEY
v.	:	
	:	Magistrate Judge Deavers
TIMOTHY HORTON, et al.,	:	
	:	
Defendants.	:	

ORDER

Before the Court is United States Magistrate Judge's **Report and Recommendation**

(Doc. 3). After granting Plaintiff leave to proceed *in forma pauperis*, the magistrate screened Plaintiff's Complaint to identify cognizable claims and to recommend any of Plaintiff's Complaint that fails to state a claim upon which relief may be granted. *See* 28 U.S.C. § 1915(e)(2). On May 10, 2016, the Magistrate Judge recommended that the Court **DISMISS** Plaintiff's claims against Defendants for failure to assert any claim over which this Court has subject matter jurisdiction. (Doc. 3 at 1.) The magistrate so ruled for three reasons: (1) because Plaintiff's Complaint amounted to an appeal of a state court judgment in violation of the *Rooker-Feldman* doctrine (*see Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280, 284 (2005)); (2) because Plaintiff's Complaint did not invoke a federal question; and (3) because both Plaintiff and Defendants are citizens of Ohio.

The Report and Recommendation specifically advises the parties that the failure to object to the Report and Recommendation within fourteen days results in a waiver of the right to have the District Judge review the Report and Recommendation *de novo*, and also operates as a waiver

of the right to appeal the decision of the District Court. (Doc. 3 at 6.) No objection has been filed. The deadline for objections lapsed on May 24, 2016.

The Court hereby **ADOPTS** the Report and Recommendation based on the independent consideration of the analysis therein. Accordingly, it **DISMISSES** Plaintiff's Complaint for lack of subject matter jurisdiction.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT COURT

Dated: June 9, 2016